

*Art
conceded*

-- 13. Method according to claim 5, wherein the suspension further includes cosolvents and/or surfactants.

-- 14. Method according to claim 7, wherein the anti-asthmatically active ^{agent} substance includes the corticosteroid 9 α -chloro-6 α -fluoro-11 β ,17 α -dihydroxy-16 α -methyl-3-oxo-androsta-1,4-diene-17 β -methoxycarbonyl-17-propionate. --

STATUS OF THE CLAIMS

Claims 1-8 were pending in the application.

Claims 1-8 are rejected under 35 U.S.C. §112, first and second paragraphs.

Claims 9-14 are hereinabove added.

Claims 1-14 as amended are presented for reconsideration.

REMARKS

On page 2 of the outstanding Office Action, the Examiner rejected claims 1-8 for being indefinite. Applicants have hereinabove amended the claims to eliminate the terms and phrases listed in the Examiner's points (1)-(3). However, with respect to point (4), applicants respectfully note that the term Formoterol is not a trademark or tradename, but instead is the chemical name. In order to eliminate any confusion, applicants are no longer capitalizing the first letter of the word in the claims.

In light of the amendments, applicants respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. §112, second paragraph.

Also in the Office Action, the Examiner noted that the application is informal in the arrangement of the specification. Applicants have hereinabove amended the specification to include appropriate headings and a description of the drawing.

Finally, the Examiner has rejected the claims for lack of enablement. Applicants respectfully traverse this rejection. The particular ranges and materials are set forth in the specification as preferred embodiments for the guidance of the ordinary worker skilled in the art. Applicants maintain that one of ordinary skill in the art, guided by the teachings in the specification, would not have to unduly experiment to construct aerosol containers outside the scope of the preferred embodiments which nevertheless have the inventive attributes of using a plastic-coated inner surface of the container to inhibit depositing of the pharmaceutically active substance. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. §112, first paragraph.

Entry of this amendment and reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,



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